

Message Text

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DIRNSA WASHDC

USNMR SHAPE

CINCUSAFE

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USDOCOSOUTH NALLES

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CINCUSNAVEUR LONDON UK

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E.O. 11652: XGDS3 INDEFINITE

TAGS: MASS MARR PFOR TU

SUBJ: TURKISH BASE NEGOTIATIONS: TREATMENT OF "ORGANIZATIONS AND
FACILITIES"

1. AT JANUARY 14 WORKING GROUP SESSION TURKS TABLED FOL-
LOWING ARTICLE WHICH LISTS THOSE OTHER ARTICLES OF THE
AGREEMENTNE APPLICABLE TO U.S. "ORGANIZATIONS AND FACILITIES:"

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BEGIN TEXT:

ARTICLE XVII

THE UNITED STATES ORGANIZATIONS AND FACILITIES APPROVED BY THE GOVERNMENT OF THE REPUBLIC OF TURKEY AND REFERRED TO IN ARTICLE III OF THIS AGREEMENT PROVIDING COMMAND AND CONTROL, ADMINISTRATIVE, LOGISTICS AND GENERAL SUPPORT FOR THE INSTALLATIONS, THEIR ACTIVITIES AND FOR THE PERSONNEL ASSIGNED THERETO, SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLES VII, VIII, XI, XII, XIII AND XV OF THIS AGREEMENT.

END TEXT.

2. APPLICABLE ARTICLES REFERENCED IN TEXT ABOVE ARE PER THE TURKISH NUMBERING SCHEME AND TRANSLATE SUBJECTIVELY AS FOLLOWS: VII - ANNEXES; VIII - IMPORT/EXPORT; XI - EMERGENCY USE; XII - INTERFERENCE; XIII - RESIDUAL VALUE; AND XV - PROCUREMENT.

3. WE BELIEVE THAT THE TURKISH DISTINCTION BETWEEN INSTALLATIONS (WHICH ARE TURKISH) AND "ORGANIZATIONS AND FACILITIES" (WHICH ARE AMERICAN) IS IMPORTANT TO SUCCESSFUL U.S. OPERATIONS IN TURKEY AND SHOULD BE PRESERVED THROUGHOUT THE AGREEMENT. THE TURKS, HOWEVER, APPEAR UNABLE FOR POLITICAL REASONS TO MAKE THIS DISTINCTION CLEAR BY USE OF SPECIFIC WORDING IN EACH PERTINENT ARTICLE IN THE AGREEMENT. IN ADDRESSING THE PROPOSED TURKISH ARTICLE XVII, ABOVE, OUR PRINCIPAL OBJECTIVES ARE THAT THE TURKISH DISTINCTION BE MAINTAINED AND THAT THE ARTICLE BE TAILORED SO AS TO PROVIDE AS LITTLE RESTRICTION AS POSSIBLE ON U.S. "ORGANIZATIONS AND FACILITIES."

4. SOME MEMBERS OF THE U.S. TEAM HAVE EXPRESSED PREVIOUSLY THEIR PREFERENCE FOR ADDRESSING INSTALLATIONS AND ORGANIZATIONS/FACILITIES SEPARATELY IN EACH APPLICABLE ARTICLE OF THE AGREEMENT RATHER THAN TREATING APPLICABILITY OF THE AGREEMENT TO THE LATTER IN A SEPARATE

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ATE ARTICLE. IN ADDITION TO PROBLEM OF OBTAINING TURKISH ACCEPTANCE OF THIS FORMULA, IT APPEARS FROM HERE AT THIS TIME THAT SUCH A COURSE WOULD TEND TO BLUR RATHER THAN REINFORCE THE DISTINCTION BETWEEN INSTALLATIONS AND ORGANIZATIONS/FACILITIES AND WOULD THEREFORE, OVER TIME, CREATE UNNECESSARY DIFFICULTIES IN RESOLVING DISAGREEMENT BETWEEN PARTIES AS TO THE APPLICABILITY OF THE AGREEMENT TO ESSENTIALLY U.S. ONLY OPERATIONS. WE

AGREE, OF COURSE, THAT THE APPROACH ENVISAGED IN THE
TURKISH ARTICLE REQUIRES ADDITIONAL STUDY TO ENSURE
APPLICABILITY OF THOSE PROVISIONS OF THE AGREEMENT WHICH
ARE DESIRABLE AND NON-APPLICABILITY OF THOSE WHICH ARE
NOT.

5. WE THEREFORE PROPOSE TO DEFER FURTHER DISCUSSION OF
THIS ARTICLE WITH THE TURKS UNTIL SUCH TIME AS WE HAVE A
CLEARER PICTURE OF THE WORDING OF THE REST OF THE
AGREEMENT, A MORE COMPREHENSIVE VIEW OF THE KIND OF
RESTRICTIONS WE CAN ACCEPT ON U.S. OPERATIONS IN
TURKEY AND THUS A BETTER UNDERSTANDING OF THE ARTICLES
OF THE AGREEMENT WHICH SHOULD BE MADE APPLICABLE TO U.S.
ORGANIZATIONS AND FACILITIES. IN THE INTERIM, U.S.
TEAM WOULD LIKE TO KNOW WHETHER WASHINGTON AGREES WITH
ITS ASSESSMENT THAT ARTICLE OF THIS NATURE IS MOST FEASIBLE
MANNER OF HANDLING INCLUSION OF U.S. ORGANIZATIONS AND
FACILITIES" IN THE AGREEMENT.

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